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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.2116 OF 2006
IN
INCOME TAX APPEAL (LOD) NO.1084 OF 2006

The Commissioner of Income Tax ..Appellant.

V/s.

Smt. Bina Sahni ..Respondent.

Mr.A.S.Rao with P.S.Sahadevan for appellant.

Mr.Mahesh Menon i/b.Mahesh Menon & Co. for respondent.

CORAM : F.I.REBELLO AND
J.P.DEVADHAR, JJ.

DATED : 22ND OCTOBER, 2007.

P.C. :-

There is a delay of 377 days in preferring the appeal. There is affidavit in support of the Motion. The order of the I.T.A.T. dated 29/9/2004 was received by the CIT-12 on 18/2/2005. After various steps, the Chief CIT granted approval on 25/4/2005. The last date of filing the appeal was 17/6/2005. The file was sent to the Ministry of Law on 25/4/2005. The draft appeal memo was received on 2/6/2006. The appeal was filed on 28/6/2006. There is absolutely no explanation whatsoever for the delay between 25/4/2005 and 2/6/2006. Considering the cause shown, in our opinion, the same would not amount to sufficient cause. Hence Motion is dismissed.

(J.P.DEVADHAR, J.) **(F.I.REBELL0, J.)**